

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EKI, LLC,

Plaintiff,

v.

**GASSER CHAIR CO., INC.,
GENE ULLICH and G.U.E.,**

Defendants.

Civil Action No.
06-4936 (WJM)

ORDER

A Report and Recommendation was filed on March 27, 2007 recommending that this civil action be remanded to the Superior Court of New Jersey, and that the cross-motion of Defendant Gasser Chair Co. for transfer of venue to the Eastern District of New York be denied. The parties were notified that they had ten days to submit objections and responses to the Report and Recommendation pursuant to Local Civil Rule 72.1(c)(2). No objection or response having been received by this Court, and the Court having reviewed the Report and Recommendation *de novo*, and good cause appearing,

IT IS on this 16th day of April 2007, hereby

ORDERED that the Report and Recommendation of Magistrate Judge Mark Falk is adopted as the Opinion of this Court; and it is further

ORDERED that this matter be and hereby is remanded to the Superior Court of New Jersey; and it is further

ORDERED that the cross-motion of Defendant Gasser Chair Co. for transfer of venue is **DENIED**; and it is finally

ORDERED that this matter is dismissed without prejudice and without costs.

s/William J. Martini

William J. Martini, U.S.D.J.

cc: The Hon. Mark Falk, U.S.M.J.